

RULES OF PRACTICE AND PROCEDURE

Batterers Intervention Program Standards Oversight Committee
Amended August 1, 2005

BATTERERS INTERVENTION PROGRAM STANDARDS OVERSIGHT COMMITTEE

RULES OF PRACTICE AND PROCEDURE

Table of Contents:

INTRODUCTION.....	page 3
STATUTORY AUTHORITY AND RESPONSIBILITIES.....	page 3
RULES OF PRACTICE AND PROCEDURE	page 5
SECTION A. Comprehensive Certification	5
SECTION B. Provisional Certification	10
SECTION C. Post-Enrollment Certification	14
SECTION D. Appeals	15
SECTION E. Complaints	16
SECTION F. Variances	19
SECTION G. Courtesy Certification for Out of State Programs ...	20
SECTION H. Petition for Adoption of Rules	21
SECTION I. By-Laws	22
APPENDICES	page 25
APPENDIX A. Rhode Island General Laws §12-29-5.....	26
APPENDIX B. Rhode Island General Laws §12-29-5.1-3	27
APPENDIX C. Batterers Intervention Program Comprehensive Certification Application	29
APPENDIX D. Batterers Intervention Program Initial Certification Application	40
APPENDIX E. Complaint Log	47
APPENDIX F. Statement of Conflict of Interest	48

Batterers Intervention Program Standards Oversight Committee

RULES OF PRACTICE AND PROCEDURE

INTRODUCTION

These rules of practice and procedure (“Rules”) are adopted pursuant to the Administrative Procedures Act (RIGL Title 42, Chapter 35) for the purpose of assisting the Batterers Intervention Program Standards Oversight Committee (“Committee”) in carrying out the functions, powers, and duties assigned to it by statutory authority (Domestic Violence Prevention Act, RIGL §12-29-5 and §12-29-5.1-3). Issues not addressed in these Rules or for which a party seeks clarification are to be considered in the context of RIGL Title 12, Chapter 29.

These Rules shall govern the conduct of business by the Batterers Intervention Program Standards Oversight Committee from the date of their adoption. All practices and procedures shall be conducted in accordance with the By-Laws of the Committee; additional Rules shall apply to specified situations. Should a question arise as to the precise interpretation of any of these Rules, the Rules shall be liberally construed to further the fair, prompt, and orderly administration of the Committee’s duties and decisions. To the extent that any part of these Rules are inconsistent with applicable law, the applicable law shall be deemed to apply.

STATUTORY AUTHORITY AND RESPONSIBILITIES

Section §12-29-5 of the Rhode Island General Laws requires that every person convicted of or placed on probation for a crime involving domestic violence or whose case is filed pursuant to Section §12-10-12 where the defendant pleads nolo contendere, in addition to any other sentence imposed or counseling ordered, shall be ordered by the judge to attend, at his or her own expense, appropriate to address his or her violent behavior, a batterers intervention program. The statute goes on to define batterers intervention program as a program which is certified by the Batterers Intervention Program Standards Oversight Committee according to minimum standards, effective January 1, 1998.

The Batterers Intervention Program Standards Oversight Committee was established and authorized in Section §12-29-5.1 of the Rhode Island General Laws. The Committee consists of thirteen (13) members to be appointed as follows:

- The Director of the Department of Corrections or his/her designee, who shall serve as chairperson of the Committee.
- The Director of the Governor’s Justice Commission or his/her designee.
- The Executive Director of the Rhode Island Coalition Against Domestic Violence or his/her designee.
- A representative from the law enforcement community appointed by the Chair [President] of the Rhode Island Police Chiefs Association.

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 4

- The Attorney General or his/her designee.
- The Director of Justice Assistance or his/her designee.
- A qualified elector of this State appointed by the Governor.
- The Director of the Domestic Violence Training and Monitoring Unit or his/her designee.
- The Chief Justice of the Supreme Court or his/her designee.
- The Director of the Department of Health or his/her designee.
- A representative of a batterers intervention program appointed by the Director of the Rhode Island Coalition Against Domestic Violence.
- The Chief Judge of the District Court or his/her designee.
- The Director of the Urban League of Rhode Island or his/her designee.

The statute (§12-29-5.2) has established the duties and responsibilities of the Committee as follows:

- To establish and promulgate minimum standards for batterers intervention programs serving persons mandated pursuant to Section §12-29-5, revise such standards as is deemed necessary, and make such standards available to the public, provided that such standards shall include but not be limited to the following:
 - (1) Batterers intervention programs shall be conducted in the context of psycho-educational groups, i.e., groups of domestic violence perpetrators led by one or more professional group leaders trained and experienced in batterers intervention programming and conducted for the purposes of learning and enacting non-abusive behaviors through didactic instruction, interaction among participants and leaders, and teaching of skills within the groups; and
 - (2) The duration of batterers intervention programs shall be a minimum of forty (40) contact hours over the course of twenty (20) weeks; and
 - (3) Batterers intervention programs shall require that all mandated batterers pay fees for the program in accordance with the provisions of Section §12-29-5, provided however, that programs shall accommodate varying levels of ability to pay by means of sliding fee scales and may elect to offer alternatives to payment in the form of community service and/or deferred payment for a portion of the fees.
- To monitor and review batterers intervention programs seeking certification with respect to compliance with such standards, including periodic on-site review.
- To certify those batterers intervention programs which are in compliance with the standards established pursuant to Section §12-29-5.2(a).
- To investigate and decide appeals, complaints, requests for variances, and post-enrollment certification applications.

The Committee is authorized to establish and appoint such subcommittees, task forces, focus groups, and advisory committees as it deems necessary from time to time to carry out its duties. The Committee shall promulgate its rules of procedure governing its operations in accordance with the Administrative Procedures Act, Chapter 35 of Title 42 of the Rhode Island General Laws.

RULES OF PRACTICE AND PROCEDURE

SECTION A. COMPREHENSIVE CERTIFICATION

Definition: Comprehensive certification is the process by which batterers intervention programs are certified by the Batterers Intervention Program Standards Oversight Committee as being in compliance with the comprehensive standards for such programs. Certification is based upon representations by the program, with monitoring of selected standards for verification by the Oversight Committee.

Description: Applications from programs seeking to be certified as batterers intervention programs for mandated offenders are screened for compliance with the comprehensive standards by the Review Subcommittee, which attempts to resolve any incomplete, unclear, or contradictory applications. Following a review of submitted documents, the Review Subcommittee conducts on-site visits to review additional documents and facility features, as well as to observe batterers groups. Consideration will be given to Action Plans for timely compliance with some non-safety standards. Summaries and recommendations for each program are presented to the Oversight Committee, which makes decisions relative to certification.

Procedures:

1. Any interested person, agency, or program may apply for comprehensive certification as a batterers intervention program for court mandated domestic violence offenders. Applications are available through the Designated Chair of the Batterers Intervention Program Standards Oversight Committee: Sisan Smallman, Assistant Probation and Parole Administrator, Adult Probation and Parole, One Dorrance Plaza, Providence, RI 02903; telephone: (401) 458-3045.
2. Programs that currently have comprehensive or provisional certification must submit a completed application for comprehensive certification at least three (3) months prior to the expiration date of the current period of certification in order to avoid a lapse in certification status. Comprehensive certification shall also be required for interested programs that are applying for certification for the first time; that have had certification denied or revoked; or that have had certification suspended for longer than three (3) months without successfully being reinstated upon completion of accepted Action Plan(s).

Programs that are not currently certified, or that for other reasons do not have groups actively running, may apply for provisional certification (see Section B) in order to become eligible for referrals of mandated clients. Provisional certification is based exclusively on the representations of an applicant that it

meets the three (3) statutory minimum standards. Provisional certification under these circumstances shall remain effective until the program shall have completed comprehensive certification or until six (6) months following the date of provisional certification, whichever date shall come first.

3. Programs applying for comprehensive certification are required to complete the Batterers Intervention Program Comprehensive Certification Application, and to attach specified documents. Each application must be signed by the program director or other authorized official.
4. A Review Subcommittee shall be established, consistent with provisions of the By-Laws, for the purpose of reviewing documents and conducting on-site program reviews in connection with certification applications. Membership of the Subcommittee shall be subject to review and approval by the Oversight Committee. Individuals who are affiliated with any batterers intervention program shall not serve on the Review Subcommittee. Furthermore, individuals who have a personal relationship with or interest in a program or individual associated with a particular program, or who have any other potential conflict of interest regarding a particular program, shall inform the Subcommittee facilitator and shall not participate in the application review process for that program.
5. The Review Subcommittee shall conduct preliminary screening of the applications, reviewing submitted documents to ascertain whether the program represents itself as meeting each of the three (3) statutory minimum standards, as set forth in RIGL §12-29-5.2 (a) (1) through (3) and as detailed in the comprehensive standards. Any program that does not present sufficient documentary evidence of meeting each of the three (3) statutory minimum standards shall be notified by the Review Subcommittee that its application shall not be further considered until such time as it does present such evidence. Clarification of incomplete or contradictory information shall be sought from the program when appropriate.
6. For each applicant passing the initial screening, the Review Subcommittee shall select a representative sample of standards to verify in submitted documents.
7. Following review of submitted documents, the Review Subcommittee shall select a representative sample of standards to verify in on-site visits for each applicant. On-site monitoring may include attendance at batterers groups, observation of the facility, and review of program documents (including client files, personnel records, policy and procedure manuals, resource library, research and data collection, complaint log, and other program records).

8. The program shall be expected to provide reasonable access for on-site monitoring. Monitors shall provide reasonable notice and flexibility with respect to scheduling monitoring visits, including giving due consideration to a request to reschedule attendance at a particular group or a visit to a particular site. When making on-site visits, monitors shall identify themselves to program staff, shall conduct themselves in a professional manner, and shall minimize disruption of program functions.
9. Batterers group observation: For each applicant, monitors shall attend and observe a minimum of two (2) sessions of a particular group, both sessions being led by the same facilitator or team of facilitators. For programs that offer seven (7) or more separate groups per week, monitors shall attend and observe a minimum of two (2) sessions for each of two (2) separate groups, as scheduling permits. Any facilitator(s) leading groups on behalf of a program shall be eligible for selection for group observation.

Monitors shall be identified to group participants as representatives of the Batterers Intervention Program Standards Oversight Committee. The monitors' visits shall be explained as being for the purpose of ensuring community safety and quality programming for all participants. Apart from the introductory explanation, monitors shall not participate in the group process. Discussion between facilitators or participants and the monitors shall be deferred to non-group time. Monitors shall recognize that the group process is extremely complex, and shall seek clarification of observations, when appropriate, through later discussion with the facilitator(s) and/or with program officials.

10. When conducting document and on-site reviews, monitors shall note tangible instances of compliance or non-compliance with standards. It is expected that not every applicable standard shall be observed in particular documents, facility visits, or group sessions.
11. Action Plans: While compliance with all of the comprehensive standards is mandatory, programs may propose an Action Plan or Plans to address certain deficiencies involving non-compliance with standards that do not have immediate impact on victim safety. Those standards for which an Action Plan is not acceptable to correct deficiencies are so noted on the Comprehensive Certification Application.

Action Plans must specify the nature of the deficiency, with reference to all standards involved; the plan to correct the deficiency; the person(s) responsible; the date of projected readiness; and how compliance can be verified. Information shall be specific and detailed.

Action Plans shall be considered by the Review Subcommittee and Oversight Committee as part of deliberations about each program. Certification may or may not be precluded by non-compliance that is being addressed through reasonable Action Plan(s); certification decisions shall be made based on review of the program as a whole with respect to the comprehensive standards.

12. The Review Subcommittee shall convene to review all program applications, including the Comprehensive Certification Application, submitted documents, the results of on-site visits, and monitors' observations and recommendations. Every effort shall be made to ensure that at least two (2) Subcommittee members shall have been involved in on-site review of each particular program. The Subcommittee shall give particular attention to each apparent deficiency, determining to the extent feasible whether it is an isolated problem needing on-going monitoring; whether a complaint investigation is warranted; whether an Action Plan is appropriate/ needed/ proposed; and whether the nature or extent of the problem is likely to impact certification. The Review Subcommittee shall produce and present to the Oversight Committee a summary report of its findings for each applicant with respect to compliance and non-compliance with standards.
13. Oversight Committee votes regarding certification of programs shall be conducted in accordance with Committee By-Laws. Prior to the Committee discussing or voting on pending certification applications, any member (or designee or alternate) of the Oversight Committee and its Subcommittees who is affiliated with any batterers intervention program shall recuse him/ herself from any discussion, participation, or vote, and shall complete a statement of conflict of interest and file it with the Oversight Committee as well as forwarding a copy to the Rhode Island Ethics Commission.
14. The Oversight Committee (minus recusals) shall have the opportunity to discuss each pending application. The full application package and supporting documents shall be available for review by the Committee, if desired. Based upon representations of the program and upon verification of selected standards by Subcommittee monitors, actions by the Committee can include (but are not limited to) the following:
 - Certification of the program, subject to on-going monitoring, review, and recertification in accordance with established procedures.
 - Approval of submitted Action Plan(s), and certification of the program, contingent on verified completion of Action Plan(s) within a specified time frame.
 - Deferral (tabling) of a certification decision, pending verified completion of Action Plan(s) or other specified action by the program; or pending request for additional information, clarification, or presentation from the program; and/or pending referral back to the Review Subcommittee for follow-up.
 - Suspension of existing certification, pending verified completion of Action Plan(s) or other specified action.

- Denial of certification for specified reasons. Examples of reasons to deny certification can include (but are not limited to) numerous or gross deficiencies, especially those integral to the three (3) statutory minimum standards and/or standards directly related to victim/ community safety; lack of cooperative response to develop or implement Action Plan(s) or other means of correcting deficiencies; failure to provide requested information/ documentation needed to verify standards; failure to provide reasonable access for program review; etc.
15. A program that has been certified as a batterers intervention program shall be eligible to receive referrals of batterers whose domestic violence cases are adjudicated or filed in accordance with the terms of RIGL §12-29-5. Certification does not constitute licensure of facilities, practitioners, or other services that may be offered by the program or agency; nor does certification guarantee or imply a guarantee of referrals or monetary support.
 16. Each batterers intervention program shall be responsible for notifying the Oversight Committee of significant changes in its program principles and goals, curriculum, format, staffing, or other areas that impact compliance with the comprehensive standards.
 17. Comprehensive certification of batterers intervention programs shall remain in effect until recertification, which shall occur within a period of two (2) years of the date of comprehensive certification; provided, however, that if the Oversight Committee shall confirm that a certified program is not in compliance with the comprehensive standards, the Oversight Committee shall reserve the right to revoke or suspend certification, and/or shall reserve the right to require that continued certification be contingent on verified completion of Action Plan(s) or other means by which the program shall come into compliance within a specified time.
 18. Within five (5) business days following a vote with respect to certification of any particular batterers intervention program, the Committee shall send written notice of the decision to the program. Notice of a decision that would result in the loss of a current program's eligibility for referrals (i.e., denial or suspension of certification for a currently certified program, or deferral of a decision for a program whose current certification shall have expired within 30 days following the date of the decision) shall be sent to the program by certified mail, return receipt requested. The written notice shall include a statement of the reason(s) for the decision or deferral by the Committee. The Committee Chair shall notify Rhode Island courts and Adult Probation that referrals of mandated batterers to programs whose certification has been suspended or denied shall cease, effective on the date of the signature on the return receipt.

19. The Committee Chair shall promulgate lists of all certified batterers intervention programs at least twice yearly, and within 30 days following any changes in program eligibility. The Chair shall notify Rhode Island courts, Adult Probation, and other interested parties of all programs that are eligible for referrals of mandated batterers.

SECTION B. PROVISIONAL CERTIFICATION

Definition: Pending development and promulgation of comprehensive standards for batterers intervention programs, the Committee sought to meet the statutory obligation to certify programs by January 1, 1998, by means of provisional certification of batterers intervention programs, based exclusively on the three (3) statutory minimum standards. Provisional certification (also referred to as “initial certification”) is subject to certain limitations, as indicated below. As specified in Section A, provisional certification is applicable under certain circumstances for programs that do not have groups actively running, in order to become eligible for referrals of mandated clients.

Description: Applications from programs for which provisional certification is appropriate are screened for compliance with the three (3) statutory minimum standards by the Review Subcommittee, which attempts to resolve any incomplete, unclear, or contradictory applications. A summary of the program and recommendations are presented to the Oversight Committee, which makes decisions relative to certification.

Procedures:

1. Pending official adoption of the comprehensive standards for batterers programs, any interested person, agency, or program could apply for provisional (or initial) certification as a batterers intervention program for court mandated domestic violence offenders. Programs that have not been previously certified, or that for other reasons do not have groups actively running, may apply for provisional certification in order to become eligible for referrals of mandated clients. Applications are available through the Designated Chair of the Batterers Intervention Program Standards Oversight Committee: Sisan Smallman, Assistant Probation and Parole Administrator, Adult Probation and Parole, One Dorrance Plaza, Providence, RI 02903. Telephone: (401) 458-3045.
2. Programs applying for provisional certification are required to provide identifying information, as well as documents and information indicated on the Batterers Intervention Program Provisional Certification Application in order to determine compliance with the three (3) statutory minimum standards as set forth in RIGL §12-29-5.2 (a) (1) through (3).

3. Programs applying for provisional certification are requested to provide additional information, as indicated on the application. However, the additional information shall not be used as a basis for certification, and shall not be considered in the certification decision, until formal adoption of comprehensive standards. No program shall be penalized for failing to provide the requested information, nor for information which is provided but which is unrelated to the statutory minimum standards.
4. The process and the contact information for provisional certification shall be advertised in area newspapers. Notice shall also be mailed directly to all known persons, agencies, and programs that provide or have expressed interest in providing batterers intervention.
5. The Oversight Committee shall establish and appoint a Review Subcommittee, which shall include at least two (2) Oversight Committee members (or their designees or alternates), one of whom shall be selected as the facilitator. Support staffing shall be provided by two (2) Correctional Planners from the Department of Corrections. Consistent with Committee By-Laws, members of the Review Subcommittee shall not include Committee members (or their designees or alternates) who have any affiliation with a batterers intervention program.
6. The Committee Chair shall forward all certification applications to the Review Subcommittee, which shall do preliminary screening of the applications. The Review Subcommittee shall follow up by contacting any program whose certification application is incomplete, unclear, or contradictory with respect to the three (3) statutory minimum standards; and shall seek to resolve or clarify apparent deficits.
7. The Review Subcommittee shall prepare a summary of each program whose certification application is pending, and shall present the summary to the Oversight Committee at its next scheduled meeting. The summary shall specify for each applicant program the status with respect to meeting each of the three (3) statutory minimum standards; for programs which appear to have deficits in the program and/or in the application information, the summary shall specify what efforts have been made to resolve or clarify issues. The Review Subcommittee may present a recommendation as part of the summary for each program, including, but not limited to, one of the following:
 - Based upon the representations of the program, the Review Subcommittee recommends that the Oversight Committee certify the program, subject to review and recertification in accordance with established procedures.

- Based upon the representations of the program, the Review Subcommittee recommends that the Oversight Committee table the application of a program pending clarification or modification of issues related to the three (3) statutory minimum standards, or other requirements under law.
 - Based upon the representations of the program, the Review Subcommittee recommends that the Oversight Committee deny certification of a program due to specified deficits related to the three (3) statutory minimum standards, or other requirements under law.
8. Votes regarding certification of programs shall be conducted in a manner consistent with the Committee By-Laws.
 9. Prior to the Committee discussing or voting on pending certification applications, any member (or designee or alternate) of the Oversight Committee and its Subcommittees who is affiliated with any batterers intervention program shall recuse him/ herself from any discussion, participation, or vote, and shall complete a statement of conflict of interest and file it with the Oversight Committee as well as forwarding a copy to the Rhode Island Ethics Commission.
 10. The Review Subcommittee shall have the full application package available at the Oversight Committee meeting for each program whose certification application is being considered at that meeting. Committee members shall have the opportunity to review the application and supporting documents, if desired.
 11. The Review Subcommittee shall present its summary, and recommendations, if applicable, for each program under consideration. The Committee (minus recusals) shall have the opportunity to discuss the pending application, and shall act upon each pending application. Committee action shall include, but not be limited to, one of the following:
 - Based upon the representations of the program, the Oversight Committee votes to certify the program, subject to review and recertification in accordance with established procedures.
 - Based upon the representations of the program, the Oversight Committee votes to table the application of the program, pending clarification or modification of issues related to the three (3) statutory minimum standards, or other requirements under law. The Committee may request additional information or presentation from the program, or may refer the matter back to the Review Subcommittee for follow-up.
 - Based upon the representations of the program, the Oversight Committee votes to deny certification of the program, due to specified deficits related to the three (3) statutory minimum standards, or other requirements under law.

12. A program which has been certified as a batterers intervention program shall be eligible to receive referrals of batterers whose domestic violence cases are adjudicated or filed in accordance with the terms of RIGL §12-29-5. Certification does not constitute licensure of facilities, practitioners, or other services that may be offered by the program or agency; nor does certification guarantee or imply a guarantee of referrals or monetary support.
13. Provisional (or initial) certification is based exclusively on the representations of an applicant program that it meets the three (3) statutory minimum standards. The Batterers Intervention Program Standards Oversight Committee shall reserve the right to verify compliance with minimum standards through requesting in-person appearance by program principals before the Oversight Committee, additional documentation, on-site program review (including group session observation), or other means.
14. Consistent with the legislative mandate, the Oversight Committee shall develop a comprehensive set of minimum standards for batterers intervention programs ("comprehensive standards") which shall be adopted and promulgated in accordance with the Administrative Procedures Act (RIGL Title 42, Chapter 35). Batterers intervention programs which have been granted provisional or initial certification based upon the three (3) statutory minimum standards shall be subject to recertification in accordance with the comprehensive standards.
15. Initial certification of batterers intervention programs that meet the three (3) statutory minimum standards shall remain effective until recertification, which shall occur within a period of six (6) months following adoption of comprehensive standards, or within a period of one (1) year of the date of initial certification, whichever date shall come first; provided, however, that if the Batterers Intervention Program Standards Oversight Committee shall confirm that a certified program is no longer in compliance with the minimum standards, or if the program allows its certification to lapse without successfully seeking recertification, the Oversight Committee shall revoke or suspend certification, or shall require that continued certification be contingent on the program coming into verifiable compliance within a specified time.
16. Within five (5) business days following a vote with respect to certification of any particular batterers intervention program, the Committee shall send written notice of the decision to the program. Notice of any decision which would result in a loss of the program's eligibility for referrals (i.e., denial of certification, or tabling of the vote on a previously eligible program whose certification shall have expired within 30 days following the date of the decision) shall be sent to the program by certified mail, return receipt requested. The written notice shall include a statement of the reason(s) for the decision by the Committee.

SECTION C. POST-ENROLLMENT CERTIFICATION

Definition: Post-enrollment certification applications are defined in RIGL §12-29-5.2 (d), as those applications made to the Committee by a batterer mandated to attend a certified batterers intervention program in accordance with §12-29-5 who has, prior to adjudication, enrolled in a program not certified by the Committee.

Description: The procedures for post-enrollment certification application and review by the Oversight Committee are directly comparable to the procedures outlined above for provisional certification. Post-enrollment certification shall be determined on the basis of the three (3) statutory minimum standards.

Procedures:

1. A batterer mandated to attend a certified batterers intervention program who has, prior to adjudication, enrolled in a program not certified by the program, may request that the non-certified program apply for post-enrollment certification. The application process is the same as that described in Section B. 1 through 3, above, for Provisional Certification.
2. The Committee Chair shall forward the post-enrollment application to the Review Subcommittee, which shall do preliminary screening of the application and follow up as needed if the application is incomplete, unclear, or contradictory with respect to the three (3) statutory minimum standards, as set out in RIGL §12-29-5.2 (a) (1) through (3).
3. The Review Subcommittee shall prepare a summary of the program requesting post-enrollment certification, and shall present the summary to the Oversight Committee at its next scheduled meeting; provided, however, that if there is no meeting scheduled within the next thirty (30) days following receipt of the application, a special meeting shall be called.
4. All other procedures for post-enrollment certification shall be consistent with those described for Provisional Certification, Section B. 7. through B. 16.
5. A program which is granted post-enrollment certification shall be subject to the same entitlements and the same limitations as for provisional certification.

SECTION D. APPEALS

Definition: An appeal is a request by a program for reconsideration of a decision made by the Oversight Committee with respect to its certification as a batterers intervention program.

Description: Upon notification of action by the Oversight Committee, a program seeking certification as a batterers intervention program may elect to appeal the decision by notifying the committee Chair. An appeal hearing by the Oversight Committee is scheduled within 45 days.

Procedures:

1. Within five (5) business days following a vote with respect to certification of any particular batterers intervention program, the Committee shall send written notice of the decision to the program.

Notice of any decision which would result in a loss of the program's eligibility for referrals (i.e., denial of certification, or tabling of the vote on a previously eligible program whose certification shall have expired within 30 days following the date of the decision) shall be sent to the program by certified mail, return receipt requested. The written notice shall include a statement of the reason(s) for the decision by the Committee.

2. The Committee Chair shall notify Rhode Island courts and Probation and Parole staff that referrals of mandated batterers to a program whose certification has lapsed or has been denied shall be suspended, effective on the date of the signature on the return receipt or the expiration of existing certification, whichever shall come sooner.
3. If the affected program chooses to appeal the decision of the Committee, the executive director, president, or other official who is empowered to act on behalf of the program shall so notify the Chair of the Committee in writing.
4. Upon receipt of an appeal request, the Committee Chair shall schedule an appeal hearing with the Committee. The date of the appeal hearing shall be the next scheduled meeting of the Committee; provided, however, that if a meeting has not been scheduled within 45 days following receipt of the appeal request, then a special meeting shall be called to hear the appeal.
5. The Committee Chair shall notify the batterers intervention program representative, in writing, of the date of the appeal hearing. The program representative shall be encouraged but not required to attend the hearing. A copy of any supporting materials the program elects to present shall be requested to be made available to the Chair at least one week in advance of the hearing, whenever feasible. Similarly, the Chair shall make available to

the program any materials intended for the hearing which have not already been provided to the program.

6. Prior to the start of the appeal hearing, any member (or designee or alternate) of the Oversight Committee and its Subcommittees who is affiliated with any batterers intervention program shall recuse him/ herself from any discussion, participation, or vote in the matter of the appeal, and shall complete a statement of conflict of interest and file it with the Oversight Committee as well as forwarding a copy to the Rhode Island Ethics Commission.
7. In conducting the appeal hearing, the Committee Chair shall review the decision which is under appeal, present the information upon which it was based, and the reason(s) for the decision. The batterers intervention program shall be offered an opportunity to respond, to rebut, to present additional information or explanations, as its representatives choose. Any interested individual, with the exception of those Committee and Subcommittee members, designees, or alternates required to recuse themselves, shall have the opportunity to participate. The Chair shall moderate the presentations and discussion.
8. Any Committee member/ designee/ or alternate who is empowered to vote shall be permitted to make a motion, and the Chair shall call for a vote. Options shall include, but not be limited to the following: deny certification; grant certification; table decision pending further investigation through on-site visit(s), request for more information, program coming into compliance with standards within a specified time period, or other; suspend or resume referrals pending final decision; etc.
9. Written notification of the decision in the appeal shall be sent to the program by certified mail, return receipt requested, within five (5) business days of the hearing.

SECTION E. COMPLAINTS

Definition: A complaint is a formal accusation, charge, or report of a problem by a batterer, victim, staff member, referral agent, or any member of the public regarding a batterers intervention program policy, practice, staff conduct, or other substantive matter related to the standards or to other requirements under law.

Description: Complaints are referred to and reviewed by the Committee Chair. Those not substantiated, or not falling within the purview of the Oversight Committee, shall be referred back to the program. The Review Subcommittee shall investigate appropriate complaints, and shall report back to the Oversight Committee. The Committee Chair

and the Review Subcommittee shall make determinations regarding problems that require immediate intervention.

Procedures:

1. The Oversight Committee shall notify all certified batterers intervention programs, domestic violence victims services agencies, the Rhode Island Courts, Adult Probation and Parole, and other appropriate organizations that individuals or agencies having a complaint regarding a certified batterers intervention program may address that complaint directly to the program. In addition, or instead, individuals or agencies may address a complaint directly to the Oversight Committee if it involves a certified batterers intervention program policy, practice, staff conduct, or other established program standard, or to other requirements under law. Such complaints shall be directed to the Committee Chair for initial review.
2. The Chair shall request that any complaint be filed in writing, but this shall not be a requirement. Complainants who elect to remain anonymous, or who do not provide a written account or other substantiation, shall be informed (when feasible) that this could impact determination of probable cause or verification of the complaint circumstances, but that the complaint shall be investigated and acted upon to the extent that it is substantiated. The Chair shall recognize that in some circumstances, victim safety or program staff security could be compromised by giving up anonymity.
3. If the Chair determines that there is insufficient information or substantiation to find probable cause for a complaint, or that a complaint does not fall within the purview of the Oversight Committee (that is, if it is not directly related to the batterers intervention program standards or to other requirements under law), it shall be recorded, and no further action shall be taken by the Committee. When appropriate, the complaint shall be referred back to the program for action.
4. If the Chair determines that there is probable cause to believe that a complaint has foundation, and that it does fall within the purview of the Committee, the Chair may elect to respond to the complaint immediately if safety concerns so indicate, or if resolution appears likely with minor intervention.
5. If the Chair determines that there is probable cause to believe that a complaint has foundation, and that it does fall within the purview of the Committee, and that further investigation is required and/or that resolution is likely to require substantial intervention, the complaint shall be referred to the Review Subcommittee.

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 18

6. Consistent with Committee By-Laws, members of the Review Subcommittee shall not include Committee members (or their designees or alternates) who have any affiliation with a batterers intervention program.
7. The Review Subcommittee shall review the complaint and shall conduct an investigation, including as appropriate: contacting the program; reviewing the program's application and supporting documents; interviewing person(s) filing the complaint and others with knowledge of the complaint circumstances; conducting on-site program reviews; etc.
8. The Review Subcommittee and/or Committee Chair, after concluding the investigation, shall prepare and submit a report to the Oversight Committee summarizing the complaint, the standard(s) involved, significant findings, and recommendations on how to proceed. If recommendations include action by the Oversight Committee which would affect the certification status of the program in question, the program shall be notified of the date and time of the Oversight Committee meeting at which the matter will be presented.
9. At the Oversight Committee meeting, prior to the start of the discussion of a complaint about a batterers intervention program, any member (or designee or alternate) of the Oversight Committee and its Subcommittees who is affiliated with any batterers intervention program shall recuse him/ herself from discussion, participation, or vote in the matter of the complaint, and shall complete a statement of conflict of interest and file it with the Oversight Committee as well as forwarding a copy to the Rhode Island Ethics Commission.
10. Following presentation of the complaint report, representatives of the program (if present) shall be offered an opportunity to respond, to rebut, to present additional information or explanations, as they choose. Other interested individuals (with the exception of those Committee and Subcommittee members, designees, or alternates required to recuse themselves) shall have the opportunity to participate. The Chair shall moderate the presentations and discussion.
11. The Oversight Committee shall determine what course of action to take, which could include (but is not limited to) one of the following: dismiss complaint; take no further action; revoke certification for specified reason(s); suspend certification pending specified program modification(s) within a certain time frame; table decision pending specified program modification(s) within a certain time frame; refer the matter back to the Review Committee for more information; etc.
12. A log of all complaints shall be maintained by the Chair, including those deemed inappropriate for the Oversight Committee and those complaints resolved by the Chair with minor intervention. A summary of the log shall be

presented, and the log shall be available for review, at all scheduled Oversight Committee meetings.

SECTION F. VARIANCES

Definition: A variance is a deviation from general program format and established program standard(s), which is granted by the Oversight Committee in response to a specific request by a batterers intervention program. A variance is not intended as a means to circumvent existing standards, and must be for a specific identified purpose.

Description: Under exceptional circumstances, a batterers intervention program may request a variance with respect to an established standard; those standards mandated by statute (RIGL §12-29-5.2), however, shall not be subject to variance. Any variance must be specifically requested by the program, must be justified by the program, and must be shown to have no detrimental effect on the substance of the program.

Procedures:

1. The executive director, president, or other person who is empowered to act on behalf of a certified batterers intervention program may request a variance by applying in writing to the Committee Chair. The request shall include an explanation of the need and purpose for the variance; the nature of the variance; the standard(s) involved; and justification, which shall project both the expected positive benefit and the lack of detrimental effect of the requested variance. Supporting materials may be included.
2. The variance request shall be incorporated into the agenda for the next scheduled Oversight Committee meeting. Notice of the meeting shall be sent in writing to the program requesting the variance. The program representative shall be encouraged but not required to attend the meeting.
3. At the Oversight Committee meeting, prior to the start of discussion of a variance request, any member (or designee or alternate) of the Oversight Committee and its Subcommittees who is affiliated with any batterers intervention program shall recuse him/ herself from discussion, participation, or vote in the matter of the variance, and shall complete a statement of conflict of interest and file it with the Oversight Committee as well as forwarding a copy to the Rhode Island Ethics Commission.
4. The Committee Chair shall review the nature of the request and the justification offered. The batterers intervention program seeking the variance shall be offered an opportunity to present any additional information or explanations, and to respond to any questions. Other interested individuals (with the exception of those Committee and Subcommittee members,

designees, or alternates required to recuse themselves) shall have the opportunity to participate. The Chair shall moderate the presentations and discussion.

5. Any Committee member (or designee or alternate) who is empowered to vote shall be permitted to make a motion, and the Chair shall call for a vote. Options shall include, but not be limited to, the following: deny the variance, with explanation; grant the variance, specifying any limitations such as period of time, particular circumstances, offender pool, or others; table the decision pending further investigation or information; etc.
6. Written notification of the decision shall be sent to the program within five (5) business days following the Oversight Committee meeting.

SECTION G. COURTESY CERTIFICATION FOR OUT OF STATE PROGRAMS

Definition: Courtesy certification of programs in other jurisdictions can be requested by programs that are certified in another jurisdiction, and/or that meet the statutory minimum standards as outlined in RIGL §12-29-5.2 (a) (1) through (3). Such courtesy certification is applicable only for individuals who have been adjudicated in Rhode Island and who have been authorized to attend a program in another state.

Description: Batterers intervention programs that have valid certification (or similar designation) in jurisdictions that have established standards are automatically eligible for courtesy certification in Rhode Island. Courtesy certification for programs in jurisdictions without standards shall be determined on the basis of documented compliance with the three (3) statutory minimum standards.

Procedures:

1. Any interested person, agency, or program that operates in a state other than Rhode Island, and that seeks to serve one or more batterers who are mandated by RIGL §12-29-5 to attend a program certified by the Batterers Intervention Program Standards Oversight Committee, may request courtesy certification.
2. If the other state or jurisdiction has established standards for batterers intervention programs, qualifying programs within that jurisdiction shall automatically be eligible for courtesy certification in Rhode Island. Courtesy certification shall be conferred upon presentation to the Oversight Committee of credible evidence of the program's certification (or similar designation) in the other jurisdiction.

3. Programs in jurisdictions that do not have standards for batterers intervention programs may apply for courtesy certification by completing an application and submitting documents that indicate the program complies with the three (3) statutory minimum standards as set forth in RIGL §12-29-5.2 (a) (1) through (3). Applications are available through the Designated Chair of the Batterers Intervention Program Standards Oversight Committee: Sisan Smallman, Assistant Probation and Parole Administrator, Adult Probation and Parole, One Dorrance Plaza, Providence, RI 02903. Telephone: (401) 458-3045.
4. Requests for courtesy certification shall be screened by the Review Subcommittee and presented to the Oversight Committee in accordance with established procedures.
5. Courtesy certification shall only be applicable for individuals who have been adjudicated in Rhode Island and who have been permitted by authority of a Rhode Island court or by Rhode Island Probation and Parole to attend a program in another state.
6. Courtesy certification by the Rhode Island Batterers Intervention Program Standards Oversight Committee is not intended to impinge in any way upon procedures or standards that the other state or jurisdiction may impose with respect to batterers programs.

SECTION H. PETITION FOR ADOPTION OF RULES

Procedures:

1. Any interested person may petition the Batterers Intervention Program Standards Oversight Committee to request the promulgation, amendment, or repeal of any of the Rules of Practice and Procedure, or of the Comprehensive Standards for Batterers Intervention Programs, by submitting a request in writing to the Designated Chair of the Batterers Intervention Program Standards Oversight Committee: Sisan Smallman, Assistant Probation and Parole Administrator, Adult Probation and Parole, One Dorrance Plaza, Providence, RI 02903; telephone: (401) 458-3045. The request shall specify what rule(s) or standard(s) is the subject of the petition; shall suggest an alternative rule or standard; and shall indicate the reason(s) for the request. The petitioner(s) shall be identified by name, signature, date, and contact address/ telephone. It is requested, but not required, that petitioners identify any affiliation (if applicable) with a batterers intervention program, victim services provider, criminal justice agency, or other entity that has a professional connection to the work of the Batterers Intervention Program Standards Oversight Committee, its Rules of Practice and Procedure, or the Comprehensive Standards for Batterers Intervention Programs.

2. The Chair shall submit such petitions to the Oversight Committee at its next regularly scheduled meeting; provided, however, that if such a meeting is not scheduled within the next thirty (30) days following receipt of the petition (or other time frame specified by RIGL §42-35-6), a special meeting shall be called. Petitioner(s) shall be notified of the date, time, and place of the meeting.
3. Each petition shall be presented to the Oversight Committee for its consideration and disposition. Petitioner(s) shall be invited to provide additional information, if desired. Oversight Committee votes regarding the petition(s) shall be conducted in accordance with the Committee By-Laws.
4. Upon submission of a petition, the Oversight Committee within thirty (30) days (or as specified in RIGL §42-35-6) shall either deny the petition in writing (stating its reasons for the denials) or initiate rule-making proceedings in accordance with RIGL §42-35-3.

SECTION I. BY-LAWS

Article I. Name

The name of the Committee shall be the “Batterers Intervention Program Standards Oversight Committee,” hereinafter referred to as the Committee.

Article II. Purpose

The Committee was established and authorized pursuant to Sections §12-29-5 and §12-29-5.1-3 of the Rhode Island General Laws, as enacted in 1997. The purpose of the Committee is outlined in Section §12-29-5.2 as follows:

- a) to establish and promulgate minimum standards for batterers intervention programs serving persons mandated pursuant to section §12-29-5, revise such standards as is deemed necessary, and make such standards available to the public;
- b) to monitor and review batterers intervention programs seeking certification with respect to compliance with such standards, including periodic on-site review;
- c) to certify those batterers intervention programs which are in compliance with the standards established pursuant to section §12-29-5.2(a); and
- d) to investigate and decide appeals, complaints, requests for variances, and post-enrollment certification applications.

Article III. Members

The Committee shall consist of thirteen (13) voting members to be appointed as outlined in §12-29-5.1. The positions identified in §12-29-5.1 shall be considered permanent members of the Committee, although the individuals filling such positions may on occasion change.

Each member of the Committee may appoint one (1) permanent designee and one (1) named alternate who may attend Committee meetings. In the absence of the Committee member, his/ her vote may be cast by either the designee or the alternate.

Members may elect to change who shall represent them as permanent designee or named alternate. The Committee shall be notified in writing of any such change.

Article IV. Officers

The Chairperson of the Committee shall be the Director of the Department of Corrections, or his/her designee. The Chairperson/ designee shall have the general duties of governance usually vested in the office of Chairperson, and shall have other duties and powers as may be prescribed by the Committee.

The Vice Chairperson shall be selected by the Chairperson to assume all the duties of the Chairperson in his/her absence. In order to avoid potential conflict of interest, the Vice Chairperson shall be a member of the Committee (or designee) who shall have no affiliation with any batterers intervention program.

Article V. Meetings

The Committee shall meet no fewer than four (4) times per year at the call of the Chairperson or upon petition of a majority of Committee members (or their designees or alternates). Written notification of the time and place of any meetings shall be given at least 48 hours prior to the time of the meeting, and public notice of all meetings shall be made in accordance with the Open Meetings regulations of the State of Rhode Island (Section §42-46 of the Rhode Island General Laws).

A simple majority of the full number of Committee members, designees or alternates shall ordinarily constitute a quorum for conducting the business of the Committee: that is, the presence of a simple majority of seven (7) out of thirteen (13) seats represented by members, designees or alternates. Decisions and votes may be passed by a simple majority of votes in the affirmative among those members (or designees or alternates) present, unless otherwise specified in these by-laws.

However, in the event that a seat or seats on the Committee shall have been unrepresented for three (3) or more consecutive meetings, then the number of represented seats required to constitute a quorum for any particular Committee meeting

shall be reduced by the number of seats that have been thus unrepresented, effective at the third consecutive missed meeting and at any subsequent consecutive missed meeting. The member, designee or alternate representing such seat(s) shall retain all voting privileges for any meeting at which he or she is in attendance. In no event shall a quorum consist of less than five (5) representative seats.

Committee members (or their designees or alternates) who have any affiliation with a batterers intervention program shall not cast a vote regarding certification of any particular batterers intervention program.

Article VI. Committees

Subcommittees, task forces, focus groups and advisory committees (hereinafter referred to as subcommittees) shall be appointed by the full Committee as needed. The Committee shall approve the membership of all subcommittees. At the discretion of the Committee, subcommittee members and facilitators may include individuals who are not otherwise voting Committee members, designees or alternates. Members of each subcommittee shall select the facilitator, subject to approval by the Committee.

The presence of a minimum of three (3) subcommittee members shall be required in order to conduct subcommittee business.

Subcommittees shall strive for consensus decision-making. When a consensus is not reached, the subcommittee shall be empowered to determine issues by vote. Such decisions shall be passed by a simple majority of votes in the affirmative by those subcommittee members present.

Subcommittees shall report regularly to the Committee on issues, projects, and other subcommittee business, and shall prepare and present recommendations to the Committee as appropriate. The Committee shall retain final decision-making authority in all Committee and subcommittee business.

Minutes shall be taken of all Committee and subcommittee meetings, and shall be maintained and distributed in accordance with Section § 42-46 of the Rhode Island General Laws (or subsequent statute).

Article VII. Amendment of By-Laws

These by-laws may be amended or repealed and new by-laws adopted at a meeting designated for this purpose, if a quorum is present and a vote to adopt a by-law is passed by a simple majority of votes in the affirmative by those members (or designees or alternates) present. Notice of such a meeting must be given at least one (1) month prior to the meeting, and must include a written description and explanation of any proposed changes.

APPENDICES

- A. Rhode Island General Laws §12-29-5
- B. Rhode Island General Laws §12-29-5.1-3.
- C. Batterers Intervention Program Comprehensive Certification Application.
- D. Batterers Intervention Program Initial Certification Application.
- E. Complaint Log.
- F. Statement of Conflict of Interest.

TITLE 12
Criminal Procedure
CHAPTER 12-29
Domestic Violence Prevention Act
SECTION 12-29-5

§ 12-29-5 Disposition of domestic violence cases. – (a) Every person convicted of or placed on probation for a crime involving domestic violence or whose case is filed pursuant to § 12-10-12 where the defendant pleads nolo contendere, in addition to any other sentence imposed or counseling ordered, shall be ordered by the judge to attend, at his or her own expense, a batterer's intervention program appropriate to address his or her violent behavior. This order shall be included in the conditions of probation. Failure of the defendant to comply with the order shall be a basis for violating probation and/or the provisions of § 12-10-12. This provision shall not be suspended or waived by the court.

(b) Every person convicted of or placed on probation for a crime involving domestic violence, as enumerated in § 12-29-2 or whose case if filed pursuant to § 12-10-12 where the defendant pleads guilty or nolo contendere, in addition to other court costs or assessments imposed, shall be ordered to pay a twenty-five dollar (\$25.00) assessment. All moneys collected pursuant to this section shall be deposited as general revenue.

(c) Every person convicted of an offense punishable as a misdemeanor involving domestic violence as defined in § 12-29-2 shall:

(i) For a second violation be imprisoned for a term of not less than ten (10) days and not more than one year.

(ii) For a third and subsequent violation be deemed guilty of a felony and be imprisoned for a term of not less than one year and not more than ten (10) years.

(2) No jail sentence provided for under this section can be suspended.

(3) Nothing in this subsection shall be construed as limiting the discretion of the judges to impose additional sanctions authorized in sentencing.

(d) For the purposes of this section, "batterers intervention program" means a program which is certified by the batterers intervention program standards oversight committee according to minimum standards, pursuant to §§ 12-29-5.1, 12-29-5.2, and 12-29-5.3.

TITLE 12
Criminal Procedure
CHAPTER 12-29
Domestic Violence Prevention Act
SECTION 12-29-5.1

§ 12-29-5.1 Oversight committee created – Composition. – (a) There is created a batterers intervention standards oversight committee, referred to in this chapter as the committee pursuant to the provisions of § 12-29-5.

(b) The committee shall meet no fewer than four (4) times per year at the call of the chairperson or upon petition of a majority of committee members.

(c) The committee shall consist of thirteen (13) members to be appointed as follows: The director of the department of corrections or his or her designee who shall serve as chairperson of the committee; the director of the Rhode Island justice commission or his or her designee; the executive director of the Rhode Island Coalition Against Domestic Violence or his or her designee; a representative from the law enforcement community appointed by the chairperson of the Rhode Island Police Chiefs Association; the attorney general or his or her designee; the director of Justice Assistance or his or her designee; a qualified elector of this state appointed by the governor; the director of the domestic violence training and monitoring unit or his or her designee; the chief justice of the supreme court or his or her designee; the director of the department of health or his or her designee; a representative of a batterers intervention program appointed by the director of the Rhode Island Coalition Against Domestic Violence; the chief judge of the district court or his or her designee; and the director of the Urban League of Rhode Island or his or her designee.

(d) Each member of the committee may appoint a permanent designee to attend committee meetings in his or her absence. A quorum of the committee shall consist of a majority of its members.

§ 12-29-5.2 Duties and responsibilities of committee. – (a) The committee shall have the duties and responsibilities to:

(1) Establish and promulgate minimum standards for batterers intervention programs serving persons mandated pursuant to § 12-29-5, revise the standards as is deemed necessary, and make the standards available to the public, provided that the standards shall include, but not be limited to, the following:

(i) Batterers intervention programs shall be conducted in the context of psycho-educational groups, i.e., groups of domestic violence perpetrators led by one or more professional group leaders trained and experienced in batterers intervention programming and conducted for the purposes of learning and enacting non-abusive behaviors through didactic instruction, interaction among participants and leaders, and teaching of skills within the groups;

(ii) The duration of batterers intervention programs shall be a minimum of forty (40) contact hours over the course of twenty (20) weeks; and

(iii) Batterers intervention programs shall require that all mandated batterers pay fees for the programs in accordance with the provisions of § 12-29-5; provided, that programs shall accommodate varying levels of ability to pay by means of sliding fee scales and may elect to offer alternatives to payment in the form of community restitution and/or deferred payment for a portion of the fees;

(2) Monitor and review batterers intervention programs seeking certification with respect to compliance with the standards, including periodic on-site review;

(3) Certify those batterers intervention programs which are in compliance with the standards established pursuant to subdivision (1) of this subsection; and

(4) Investigate and decide appeals, complaints, requests for variances, and post-enrollment certification applications.

(b) For purposes of this chapter, "post-enrollment certification applications" means those applications made to the committee by a batterer mandated to attend a certified batterers intervention program in accordance with § 12-29-5 who has, prior to adjudication, enrolled in a program not certified by the committee. The application shall include supporting documentation from the batterers intervention program and a request that participation in the batterers intervention program be accepted in lieu of the equivalent number of hours of a certified batterers intervention program. The committee shall act upon a post-enrollment certification application within thirty (30) days of receipt of the application.

§ 12-29-5.3 Subcommittees, task forces, focus groups and advisory committees. – (a) The committee may establish and appoint any subcommittees, task forces, focus groups and advisory committees that it deems necessary from time to time to carry out the provisions of this chapter.

(b) The committee shall promulgate its rules of procedure governing its operations in accordance with the Administrative Procedures Act, chapter 35 of title 42.

APPENDIX C.

**BATTERERS INTERVENTION PROGRAM STANDARDS OVERSIGHT COMMITTEE
APPLICATION FOR COMPREHENSIVE RE-CERTIFICATION**

Overview of the Review Process

The Batterers Intervention Program Standards Review Subcommittee reviews all materials submitted on behalf of each batterers intervention program seeking re-certification. In addition to the application review, the Review Subcommittee also conducts a series of group observations (**Rule A.9**), as well as a record review (**Rule A.10**). Upon completion of the Re-Certification Review Process, the program will be notified when the Oversight Committee will vote on the certification of the program. Representatives will be invited (but not required) to attend. Comprehensive Re-Certification, if awarded, remains in effect for a maximum of two (2) years, unless otherwise determined by the Oversight Committee.

Application Review

During the course of the re-certification process, the Review Subcommittee examines all submitted program documentation for the purpose of verifying compliance with the Comprehensive Standards. Compliance with the standards is documented in an overview report that is initially prepared by members of the Subcommittee and is presented to the Oversight Committee for final determination. Items that are examined during the application review process typically include, but are not limited to, the following items:

- BIPSOC Comprehensive Re-Certification Application.
- BIPSOC Facilitator and Supervisor Qualifications forms (both Initial and Supplemental, if applicable).
- A schedule outlining the program's locations and group times.
- The program's fee structure (sliding fee scale).
- Client forms completed as part of the initial intake process (e.g. the client contract, release of information, psycho-social assessments, referral forms, etc.).
- The program's psycho-educational curriculum and all handouts used to supplement the curriculum.

Relative to the psycho-educational curriculum and handouts, the following Comprehensive Standards are closely examined to assure program compliance. In situations where there is insufficient information to determine if a standard has been met, the issue is brought to the attention of the program representative for additional clarification/explanation.

- Domestic violence shall be defined as a serious crime (**Standard VI.A.1**).
- Domestic abuse shall be defined as part of a pattern of coercive control that may include physical, verbal, emotional, sexual, and economic abuse (**Standard VI.A.2**).
- Batterers must be held fully responsible for their abuse (**Standard VI.A.3**).
- Batterers intervention programs shall consider violent and abusive behavior to be a choice for which the abuser is responsible. Programs shall recognize that violence is a learned pattern of behavior supported by a system of beliefs and attitudes. Alternative explanations, excuses, or justifications shall be rejected, including substance abuse, psychopathology, provocation or behavior on the part of the partner, or lack of self-control (**Standard VI.A.4**).

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 30

- A responsibility plan shall be developed with each batterer, including basic steps the batterer agrees to take in conflict situations to assure the safety of the partner(s) **(Standard VI.A.5)**.
- Programs shall employ and explain a model, such as the Power and Control Wheel (see attachment), which illustrates different forms of abusive behavior and specific examples of such behaviors **(Standard VI.A.6)**.
- Batterers intervention programs shall demonstrate techniques and/or tools for choosing non-abusive behavior, including but not limited to work done outside of the group on a weekly basis **(Standard VI.A.7)**.
- Communication skills training shall be included in the curriculum **(Standard VI.A.8)**.
- The program curriculum shall inform batterers about the impact of the abuse on the partner **(Standard VI.A.9)**.
- The program curriculum shall inform batterers about the impact of the abuse on children, the incompatibility of abuse with responsible parenting, and the relationship between domestic violence and child abuse **(Standard VI.A.10)**.
- The program curriculum shall inform batterers about the impact of the abuse on other household members and witnesses **(Standard VI.A.11)**.
- The program curriculum shall inform batterers about gender role stereotypes, and how they affect the potential for abuse **(Standard VI.A.12)**.
- The program curriculum shall inform batterers about the relationship between sexual abuse and pornography, and how they affect the potential for abuse **(Standard VI.A.13)**.
- The program curriculum shall inform batterers about substance abuse and its relationship to domestic violence **(Standard VI.A.14)**.
- Programs shall inform the batterers that completion of a batterers intervention program is not a guarantee that the abuse will stop; and shall articulate to batterers that being non-abusive requires long-term commitment and continuing effort on the part of the individual batterer **(Standard VI.A.15)**.
- All materials shall be presented in a manner that maximizes comprehensibility to batterers of various levels of education, literacy, or cognitive skills **(Standard VI.A.16)**.
- All materials shall be presented in a manner that demonstrates cultural sensitivity and non-discrimination **(Standard VI.A.17)**.
- Programs that offer bilingual or non-English speaking groups shall ensure that the facilitators demonstrate awareness and understanding of participants' culture as well as language **(Standard VI.A.18)**.
- Cultural and social influences that contribute to abusive behavior shall be identified, and shall not be used to excuse or justify individual responsibility for abuse **(Standard VI.A.19)**.
- Information, attitudes, beliefs, and principles shall be conveyed by means of a variety of methods and techniques, such as confrontation, support, education, skills building, modeling behavior, role playing, rehearsal, journal keeping, homework assignments, or others appropriate to the group participants, material, and staff **(Standard VI.A.20)**.

Group Observations

In addition to the application review, representatives of the Review Subcommittee schedule group observations for the purpose of observing “tangible instances of compliance or non-compliance with the standards **(Rule A.10)**.” Relative to the Rules of Practice and Procedure associated with group observations **(Rule A.9)**, monitors from the Review Subcommittee attend and observe a **minimum** of two (2) sessions of a specified group. For programs offering seven (7) or more separate groups per week, monitors attend and observe a **minimum** of two (2) sessions for two (2) separate groups. Additional observations may be scheduled for larger programs and/or when initial observations suggest areas of concern.

Record Review

In accordance with Comprehensive Standard **V.D.1**, individual participant records (paper and/or computer files) must be maintained by batterers intervention programs throughout the individual's enrollment in the program. Following discharge, satisfactory or unsatisfactory, the program must maintain at least a summary of batterer participation. All such individual records must be maintained in a secure, confidential, and private manner, for a minimum of three (3) years until such time as they are destroyed.

To assure compliance with the Comprehensive Standards associated with client records, members of the Review Subcommittee select a sample of client records for review during the Re-Certification process. The following items, at minimum, should be included in each file (individual client record, computer database, notebook, ledger, combination of sources, etc.) In conducting the record review, members of the Review Subcommittee shall, at minimum, note the presence or absence of the following items:

- A Referral form (if applicable) or referral source name (**Standard VI.C.1**).
- An Intake form (**Standard VI.C.4**).
- An Assessment form (i.e. psycho-social) (**Standard VI.C.4**).
- The client's Payment Status/Sliding Fee Scale (signed) (**Standard VI.C.4**). If applicable, any Community Service performed in lieu of partial payment (**Standard VI.F.2**) should also be indicated (paper and/or computer).
- A Client Contract/Group Rules Agreement (signed) (**Standard VI.C.4**).
- An Authorization to release Confidential Information (signed) (**Standard VI.C.4**).
- An Attendance Record (paper and/or computer) (**Standard VI.D.2**).
- Documentation of Missed Sessions (paper and/or computer) (**Standard VI.D.8**).
- Documentation of Client Cooperation/Participation (paper and/or computer) (**Standard V.D.2**).
- Documentation of Monthly contact with the Referral Source (if applicable) (**Standard V.D.2**).
- A record of completion (satisfactory) or discharge (unsatisfactory) from the program (**Standard V.D.2**).
- Any miscellaneous forms deemed relevant (e.g. presence of arrest reports, etc.).

In addition to the items outlined above, BIP's are expected to maintain a record of written complaints from batterers, victims, staff, and other individuals, and shall note the dispositions of such complaints. BIP's are also expected to document unusual incidents, as defined by program policies. Such records should be maintained for a minimum of three (3) years and should be available for review upon request (**Standard V.D.3**).

Finally, according to **VII.D.1-3** of the Comprehensive Standards, programs are required to provide supervision for all staff members facilitating batterers groups. As such, programs must demonstrate that each facilitator staff member is meeting his/her minimum monthly supervision requirement (supervision requirement may vary based on number of groups facilitated per week).

Section I: Program Information

1. RIGL § 12-29-5 and § 12-29-5.1-3 authorizes the Batterers Intervention Program Standards Oversight Committee to implement standards and to certify batterers programs serving court mandated domestic violence offenders. Effective January 1, 1998, court mandated domestic violence offenders should be referred to certified programs only.
2. For questions about who must apply for Re-certification, details about the application process, additional copies of the Application, and copies of the Batterers Intervention Program Comprehensive Standards, please contact Laura Jaworski, Project Services Coordinator at (401) 462-0685; or Sisan Smallman-Batterers Intervention Program Standards Oversight Committee Chair at (401) 462-1619.
3. Send completed applications to: Laura Jaworski, Project Services Coordinator, Batterers Intervention Program Standards Oversight Committee, c/o RIDOC/Adult Probation & Parole, 15 Fleming Road/Bernadette Building, Cranston, RI 02920. Telephone: (401) 462-0685 Fax: (401) 462-0164.

Please type or print (use blue or black ink only)

Program Name (please do not abbreviate):		
Contact Person (please print):		
Title of Contact Person:		
Business Address:		
City:	State:	Zip Code:
Phone #: () -	Fax #: () -	
Mailing Address (if different than above):		
City:	State:	Zip Code:
Type of Organization (check all that apply):		
<input type="checkbox"/> Private Non-Profit <input type="checkbox"/> Private for Profit <input type="checkbox"/> Government		
<input type="checkbox"/> Other Agency Affiliation (please specify) _____		

Section II: Standards Checklist

Check each item to indicate compliance. All items should be included for Comprehensive Re-certification. Refer to BIPSOC standards for a complete description of the standards listed.

Responsibility to Victims and the Community

Check if Compliant

V.A.1	Report credible threat of harm.	<input type="checkbox"/>
V.A.2	Inform victims: completion of program does not guarantee non-abuse.	<input type="checkbox"/>
V.A.3	Provide information to victims; have limited contact.	<input type="checkbox"/>
V.A.4	Refer victims to the referral source and/or other services.	<input type="checkbox"/>
V.A.5	Do not ask victim to support batterer's participation.	<input type="checkbox"/>
V.A.6	Implement safety precautions if agency also has victim services.	<input type="checkbox"/>
V.A.7	Work cooperatively with victim services.	<input type="checkbox"/>
V.A.8	Be familiar with DV laws and enforcement; maintain resource library.	<input type="checkbox"/>
V.A.9	Maintain linkages with the criminal justice system.	<input type="checkbox"/>

Confidentiality and Limits of Confidentiality

V.B.1	Require clients to provide written authorization to release information.	<input type="checkbox"/>
V.B.2	Inform batterers of limits of confidentiality.	<input type="checkbox"/>
V.B.3	Notify victims and referral source of early termination.	<input type="checkbox"/>
V.B.4	Secure consent from batterers and victims for video/audio taping.	<input type="checkbox"/>
V.B.5	Eliminate identifying information in published research data.	<input type="checkbox"/>
V.B.6	Provide access to BIPSOC.	<input type="checkbox"/>
V.B.7	Maintain confidentiality of client records, with noted exceptions.	<input type="checkbox"/>

Batterer Responsibilities and Rights

V.C.1	Provide, read, and sign written contract.	<input type="checkbox"/>
V.C.2	Include history of abuse and other violence in intake and assessment.	<input type="checkbox"/>
V.C.3	Require batterers to authorize release of information.	<input type="checkbox"/>
V.C.4	Inform batterers of complaint process.	<input type="checkbox"/>

Program Records

V.D.1	Maintain client records \geq 3 years.	<input type="checkbox"/>
V.D.2	Provide monthly status reports.	<input type="checkbox"/>
V.D.3	Maintain records of written complaints \geq 3 years.	<input type="checkbox"/>
V.D.4	Maintain statistical data.	<input type="checkbox"/>

Non-Discrimination

V.E.1	Prohibit discrimination.	<input type="checkbox"/>
V.E.2	Provide access to persons with disabilities.	<input type="checkbox"/>

Program Content and Format (e.g. Curriculum)

VI.A.1	Define DV as a serious crime.	<input type="checkbox"/>
VI.A.2	Define abuse as part of a coercive pattern of control.	<input type="checkbox"/>
VI.A.3	Hold batterers fully responsible for the abuse.	<input type="checkbox"/>
VI.A.4	Define abusiveness as a choice, as a learned pattern of behavior.	<input type="checkbox"/>
VI.A.5	Develop a responsibility plan with each participant.	<input type="checkbox"/>
VI.A.6	Explain a model to illustrate forms and examples of abusive behavior.	<input type="checkbox"/>
VI.A.7	Demonstrate choosing non-abusive behavior.	<input type="checkbox"/>
VI.A.8	Include communication skills training.	<input type="checkbox"/>
VI.A.9	Inform about the impact of abuse on partner.	<input type="checkbox"/>
VI.A.10	Inform about the impact of abuse on children.	<input type="checkbox"/>
VI.A.11	Inform about the impact of abuse on other witnesses.	<input type="checkbox"/>
VI.A.12	Inform about gender roles and the potential of DV impact.	<input type="checkbox"/>
VI.A.13	Inform about relationship between sexual abuse, pornography, and DV.	<input type="checkbox"/>
VI.A.14	Inform about relationship between substance abuse and DV.	<input type="checkbox"/>
VI.A.15	Inform of long-term commitment needed to be non-abusive.	<input type="checkbox"/>
VI.A.16	Maximize comprehensibility of materials.	<input type="checkbox"/>
VI.A.17	Demonstrate cultural sensitivity and non-discrimination.	<input type="checkbox"/>

VI.A.18	Demonstrate multi-cultural awareness along with multi-lingual ability.	<input type="checkbox"/>
VI.A.19	Identify cultural and social influences; discount as excuses/justification.	<input type="checkbox"/>
VI.A.20	Use variety of techniques appropriate to participants.	<input type="checkbox"/>

Identified Problem, Focus of Intervention, and Referrals for Other Services

VI.B.1	ID client need/problem as DV, not other diagnostic labels.	<input type="checkbox"/>
VI.B.2	Do not substitute other treatment for DV intervention.	<input type="checkbox"/>
VI.B.3	Notify referral source if there is evidence of substance abuse.	<input type="checkbox"/>
VI.B.4	Notify referral source if there is evidence of mental health problems.	<input type="checkbox"/>
VI.B.5	Refer to referral source if client is unable to function in group.	<input type="checkbox"/>
VI.B.6	Explain program purpose: stop abuse, not resolve personal issues.	<input type="checkbox"/>
VI.B.7	Do not conduct couples work until completion of BIP and end of violence.	<input type="checkbox"/>
VI.B.8	Do not use models that attribute shared responsibility to both partners.	<input type="checkbox"/>
VI.B.9	Do not use models that hold victims responsible or assume equal power.	<input type="checkbox"/>
VI.B.10	Do not use anger ventilation techniques, such as punching pillows.	<input type="checkbox"/>

Referrals and Intake

VI.C.1	Send notice of enrollment to referral source.	<input type="checkbox"/>
VI.C.2	Do not enroll clients who are enrolled in another program.	<input type="checkbox"/>
VI.C.3	Admit client within 2 weeks, or notify referral source.	<input type="checkbox"/>
VI.C.4	Include named activities in intake assessment.	<input type="checkbox"/>

Group Format Standards

VI.D.1	Conduct intervention in psycho-educational group format.	<input type="checkbox"/>
VI.D.2	Maintain program duration: ≥ 20 weeks, ≥ 40 hours group contact time.	<input type="checkbox"/>
VI.D.3	Maintain group sessions at 1.5 to 2.0 hours; no late/early departures.	<input type="checkbox"/>
VI.D.4	Have ≥ 1 facilitator for group of ≤ 10 ; ≥ 2 facilitators for groups of 11-18.	<input type="checkbox"/>
VI.D.5	Provide both male and female facilitator(s) for all groups.	<input type="checkbox"/>

VI.D.6	Maintain separate groups for adults (≥ 18) and minors (≤ 17).	<input type="checkbox"/>
VI.D.7	Maintain separate groups for males and females.	<input type="checkbox"/>
VI.D.8	Dismiss clients if misses > 2 consecutive or > 3 total sessions.	<input type="checkbox"/>
VI.D.9	Client to re-enroll and complete entire program if new DV charge.	<input type="checkbox"/>
VI.D.10	Provide client reports to Probation \geq monthly; report dismissal \leq 1 day.	<input type="checkbox"/>

Standards of Conduct for Group Participants

VI.E.1	Batterers must refrain from violence within the group.	<input type="checkbox"/>
VI.E.2	Batterers must attend group free from non-prescription drugs or alcohol.	<input type="checkbox"/>
VI.E.3	Batterers must refrain from possession of weapon(s) within group.	<input type="checkbox"/>
VI.E.4	Batterers must take full responsibility for abuse.	<input type="checkbox"/>

Participant Fees

VI.F.1	Batterers must pay fees for program services.	<input type="checkbox"/>
VI.F.2	Programs accommodate varying levels of ability to pay.	<input type="checkbox"/>
VI.F.3	Provide sliding scale, community service, and/or deferred payment.	<input type="checkbox"/>
VI.F.4	Client contract includes fees, payment schedule, and other arrangements.	<input type="checkbox"/>
VI.F.5	Dismiss client for non-payment if contract not re-negotiated.	

Program Responsibilities

VII.A.1	Policies promote effectiveness and community safety.	<input type="checkbox"/>
VII.A.2	Policies promote non-discrimination and staff diversity.	<input type="checkbox"/>
VII.A.3	Programs work to maintain a drug-free and violence-free workplace.	<input type="checkbox"/>
VII.A.4	Program maintains record of complaints \geq 3 years.	<input type="checkbox"/>
VII.A.5	Notify complainants of complaint process with BIPSOC.	<input type="checkbox"/>
VII.A.6	Provide monitoring, training, and supervision to eliminate collusion.	<input type="checkbox"/>
VII.A.7	Develop policies to address any violence in lives of staff.	<input type="checkbox"/>
VII.A.8	Provide orientation for all staff.	<input type="checkbox"/>
VII.A.9	Document \geq 12 hours/year on-going training for facilitators.	<input type="checkbox"/>

VII.A.10	Conduct staff evaluations \geq yearly; \geq 2 in first year of employment.	<input type="checkbox"/>
VII.A.11	Document evidence of regular and on-going supervision for facilitators.	<input type="checkbox"/>

Facilitator Qualifications

VII.B.1	Facilitators have a Bachelor's degree in appropriate field of study.	<input type="checkbox"/>
VII.B.2	Facilitators have \geq 40 hours related training/education when hired or within 6 months after hire date.	<input type="checkbox"/>
VII.B.3	Co-facilitate with a seasoned facilitator for first 100 hours of DV groups.	<input type="checkbox"/>
VII.B.4	Facilitators have \geq 12 hours/year on-going training/education.	<input type="checkbox"/>

Supervisor Qualifications

VII.C.1	Supervisors have a Master's degree in appropriate field of study.	<input type="checkbox"/>
VII.C.2	Supervisors have \geq 3 years substantive related experience.	<input type="checkbox"/>
VII.C.3	Supervisors have \geq 12 hours/year on-going training/education.	<input type="checkbox"/>

Nature of Facilitator Supervision

VII.D.1	Address named issues in supervision of facilitators.	<input type="checkbox"/>
VII.D.2	Provide appropriate supervision \geq 4 hours/month (\geq 2 hours/month if facilitator leads no more than 1 group/week).	<input type="checkbox"/>
VII.D.3	Provide supervision by means of individual and/or group meetings.	<input type="checkbox"/>

Standards of Conduct for Group Facilitators

VII.E.1	Facilitators must be violence free in their personal/professional lives.	<input type="checkbox"/>
VII.E.2	Facilitators must attend sessions free of alcohol, drugs, and weapons.	<input type="checkbox"/>
VII.E.3	Facilitators must show mutual respect, cooperation, and responsibility.	<input type="checkbox"/>
VII.E.4	Facilitators must demonstrate non-abusive language, behavior, and attitudes.	<input type="checkbox"/>
VII.E.5	Facilitators must hold batterers accountable for abusive behavior.	<input type="checkbox"/>
VII.E.6	Facilitators must demonstrate support for process of change.	<input type="checkbox"/>
VII.E.7	Facilitators must confront minimization and denial of abusive behavior.	<input type="checkbox"/>
VII.E.8	Facilitators must promote zero tolerance for any level of abuse.	<input type="checkbox"/>

VII.E.9	Facilitators must challenge sexism, victim blaming, and power and control.	<input type="checkbox"/>
VII.E.10	Facilitators must prohibit any form of abuse in-group.	<input type="checkbox"/>

Provide a detailed explanation for any item(s) not checked (use additional sheets as necessary).

Section III: Application Checklist

Initial each item to indicate compliance. All items should be included for Comprehensive Re-certification.

Note: If materials have been omitted, this may affect the timely review of your application.

Have you...

Please initial only if item is enclosed:

1. Included a completed Comprehensive Re-certification application (pg. 4). _____
- 2a. Included a detailed curriculum for psycho-educational group intervention. _____
- 2b. Included all exercises, handouts, and planned assignments (no outlines). _____
- 3a. Verified the attached chart of facilitators and/or supervisors. _____
- 3b. Completed appropriate Supplemental Facilitator and/or Supervisor _____
Qualifications forms, if applicable.
4. Included a sample client contract. _____
5. Included a current sliding fee scale. _____
6. Included a current schedule of Batterers Intervention Program locations and times.

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 39

7. Included the completed checklist indicating compliance with each and every Standard in the Batterers Intervention Program Comprehensive Standards (pgs. 5-9) _____

Note: If you are unable to provide any of the required documentation, please outline a plan of action detailing when your program would be able to provide such materials.

Affirmation by the Program

On behalf of the Batterers Intervention Program, I certify that the information in this application is true, complete and accurate to the best of my knowledge. My signature indicates acknowledgement that the Batterers Intervention Program has met and will continue to meet all of the Batterers Intervention Program Comprehensive Standards.

Please print your full name

Title

Date

Signature [to be signed by the Executive Director or other authorized official]

APPENDIX D.

BATTERERS INTERVENTION PROGRAM STANDARDS OVERSIGHT COMMITTEE
APPLICATION FOR PROVISIONAL CERTIFICATION

1. Rhode Island General Law § 12-29-5.1-3 authorizes the Batterers Intervention Program Standards Oversight Committee to implement standards in order to certify batterers programs serving court mandated domestic violence offenders. Programs seeking Provisional Certification shall apply by providing the indicated information. The Oversight Committee may request in-person appearance by program principals, additional documentation, on-site program review (including group session observation), or other means of verification that the program meets the minimum standards. Effective January 1, 1998, court mandated domestic violence offenders shall be referred to certified programs only.
2. Completed forms and accompanying documents for pages one (1) through eight (8) shall be returned to: Batterers Intervention Program Standards Oversight Committee, c/o Department of Corrections/Adult Probation & Parole, Attn: Sisan Smallman-Oversight Committee Chair-15 Fleming Road-Bernadette Building, Cranston, RI 02920. Telephone: (401) 462-1619 Fax: (401) 462-0164.
3. Information can be provided by short answer, if appropriate, and/or by attaching relevant material. Suggested guidelines and standards are referenced in [brackets] by selected items below, and can be found in the Batterers Intervention Program Standards document dated August 1998, which is available through Sisan Smallman.

Section I: Identifying Information

Please type or print (use blue or black ink only)

Program Name (please do not abbreviate):		
Contact Person (please print):		
Title of Contact Person:		
Business Address:		
City:	State:	Zip Code:
Phone #: () -	Fax #: () -	
Mailing Address (if different than above):		
City:	State:	Zip Code:
Type of Organization (check all that apply):		
<input type="checkbox"/> Private Non-Profit <input type="checkbox"/> Private for Profit <input type="checkbox"/> Government		
<input type="checkbox"/> Other Agency Affiliation (please specify) _____		

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 41

Is the batterers intervention program a subsidiary of, or affiliated with another organization?
☐ No ☐ Yes-If yes, name and relationship to parent/sister organization:

Do all program sites meet Title III, Americans with Disabilities Act, access requirements?
☐ Yes ☐ No-If no, describe plans to accommodate participants/staff/visitors with disabilities: [V.F]

Has the program ever been subject to denial, suspension, revocation, or limitation of initial or renewed certification or licensing relative to providing batterers intervention services in Rhode Island or in any other state? ☐ No ☐ Yes-If yes, please explain, giving dates, places, cause of action, and outcome:

In addition to the aforementioned information, please **attach** the following documents:

1. A list of owners/directors/officers/managers/administrators.
2. A list of programs, locations, and times/days of operation, if applicable.

RIGL § 12-29-5.2 (a) (1) through (3) requires that minimum standards for certification of batterers intervention programs shall include but are not limited to:

1. Batterers intervention programs shall be conducted in the context of psycho-educational groups, i.e. groups of domestic violence perpetrators led by one (1) or more professional group leaders trained and experienced in batterers intervention programming and conducted for the purpose of learning and enacting non-abusive behaviors through didactic instruction, interaction among participants and leaders, and teaching of skills within the groups; and
2. The duration of batterers intervention programs shall be a minimum of forty (40) contact hours over the course of twenty (20) weeks; and
3. Batterers intervention shall require that all mandated batterers pay fees for the program in accordance with the provisions of section 12-29-5, provided however, that programs shall accommodate a varying level of ability to pay by means of sliding fee scales and may elect to offer alternatives to payment in the form of community service and/or deferred payment for a portion of the fees.

In order to determine compliance with these standards, the following information (II, III, and IV) is **required** to be provided to the Batterers Intervention Program Standards Oversight Committee by any batterers intervention program seeking Provisional Certification.

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 42

Note: Provisional certification of batterers intervention programs that meet required minimum standards shall remain effective until re-certification, which shall occur within a period of six (6) months following adoption of the standards in accordance with the Administrative Procedures Act, or within a period of one (1) year of the date of provisional certification, whichever date shall come first; provided, however, that if the Batterers Intervention Program Standards Oversight Committee shall confirm that a certified program is no longer in compliance with the minimum standards, the Oversight Committee shall have the power to revoke or suspend certification, or to require that continued certification be contingent on the program coming into verifiable compliance within a specified time period.

Section II: Psycho-Educational Group Model

Attach a description (or other documentation) of your program goals, philosophy, methodology, and modalities. [III, V, VI]

Attach a curriculum outline. [VI.E]

Attach a list of paid and unpaid, full and part time facilitators (group leaders), including their qualifying education, training, and experience. [VII.E]

Provide an explanation of how often facilitators are supervised, and by what means. Include names, qualifying education, training, and experience of those providing supervision. [VII.C, D]

Be sure the following group format information is provided: [VI.E]

What is your maximum group size? _____
What is the average group size? _____
How many facilitators lead each group session? _____

Section III: Group Duration

Please indicate how the program meets the minimum duration requirement. [VI.D.E]

Be sure the following details are provided:

How many total client hours are required for successful completion of the batterers intervention program?
How much time is planned for client assessment?
Is assessment included in the total contact time, or is it additional?
How many weeks are in each program cycle?
How many group sessions per week?
How long is each session?

Does this structure vary according to the type of group, or is it consistent?

If it varies, please explain:

Section IV: Fee Structure

Attach information to explain program fees (e.g. a copy of the program's sliding fee scale and/or policy), and show the program's means of accommodating varying levels of ability to pay. [VI.G]

Be sure the following information is provided:

What is the Intake Fee Maximum?	What is the Intake Fee Minimum?
What is the Assessment Fee Maximum?	What is the Assessment Fee Minimum?
What is the Per Session Fee Maximum?	What is the Per Session Fee Minimum?
Indicate other programs fees and their amounts (e.g. follow-up service fees, etc.):	
If the program offers optional alternatives to payment for some portion of the fees, describe and explain:	
Attach a copy of the written contract that is completed with the client, including expected fees and payment schedule. How are clients informed of their responsibility to renegotiate payment terms if they experience a significant change in economic circumstances?	
Describe your procedure for setting payment schedules, monitoring payment and collecting fees:	
List other revenue sources for this program, if any:	

Batterers Intervention Program Standards Oversight Committee
Rules of Practice and Procedure
page 44

1. The Batterers Intervention Program Standards Oversight Committee **requests** that programs seeking certification provide information indicated below.
2. This information will not be used as a basis for certification until such time as supplementary standards have been formally adopted and filed with the Rhode Island Secretary of State, in accordance with the Administrative Procedures Act, RIGL § 42-35.

Section V: Accountability-Offender and Program Responsibilities

Attach written policies and procedures to describe the nature of collaboration and communication with Adult Probation & Parole, Court, and/or other referral sources. Include forms or formats used for written reports of enrollment, attendance, progress, and completion/discharge, indicating frequency of routine reporting. [V.E]

Attach written policies and procedures to describe the nature of collaboration and communication with other community service agencies, including domestic violence task forces, victim service agencies, mental health services, substance abuse services, and other involved agencies. [V.E]

Does the agency offer services to victims? ☐ No ☐ Yes-If yes, describe the safety precautions that ensure that victim safety and privacy are not compromised. [V.E]

Attach a copy of the program's written authorization for release of confidential information and a program policy statement or client notice of the limits of confidentiality. Specifically, please demonstrate how court mandated clients are notified that information regarding their program participation will be forwarded as appropriate to Adult Probation, the Court(s) having jurisdiction, other law enforcement entities, and/or victims. Demonstrate also how clients are informed that dangerous, threatening, or illegal behavior will be communicated to appropriate individuals and authorities. [V.C]

Attach written policies and procedures that guide the management, control, and security of client records and client confidentiality (with exceptions noted). [V.C]

Attach a copy of the client contract specifying obligations for program attendance, cooperation, participation, and responsibilities (if a separate document from the fee contract is requested above). [V.D]

Attach copies of sample forms or formats of any additional documentation maintained as part of the client records. [V.E]

Attach written policies and procedures relative to non-discrimination practices, recruitment of diverse staff, and how the program addresses issues of diversity among clients. [V.F]

Section VI: Program Content and Format

As part of or in addition to the program goals, philosophy, methodology, modalities, and curriculum requested above, please be sure the following information is provided:

Describe or **attach** the program's intake and assessment process, and **attach** any relevant documentation. Be sure to include information indicating how clients are assessed relative to risk of violence, substance abuse problems, and mental health needs; indicate how the program handles such issues. [V.D, VI.C, VI.D]

Indicate the average length of time between referral and intake: _____ days
Indicate the average length of time between intake and the initial group: _____ days
Describe how the program enables clients to have comparable experience with both male and female facilitators. [VI.E]
Describe how the program assigns clients to various groups, such as by gender, age range, date of referral, assessment information, and/or other criteria. [VI.E]

Attach the program's policies and procedures regarding client absenteeism, non-cooperation, disruptiveness, new criminal charges, and unsatisfactory discharge. By what means and in what time frame is non-compliance reported to the referring source? [VI.E]

Attach or describe the program's policies regarding re-enrollment by clients who have been successfully discharged, and by those who have been unsuccessfully discharged? [VI.E]

What are the program's policies regarding re-enrollment by clients who have been successfully discharged, and by those who have been unsuccessfully discharged? [VI.E]

Attach documentation indicating program rules and standards of conduct for group participants. [VI.F]

Section VII: Group Facilitators and Other Staff

As part of, or in addition to, the documents requested above regarding facilitator staff and supervision, please be sure the following information is provided:

What is the program's mechanism for considering and responding to written complaints from clients, victims, staff, or other individuals? [V.E, VII.A]

What does the program require in the way of orientation and ongoing training for both facilitators and support staff? Include a statement indicating how otherwise qualified facilitators who are new to leading batterers intervention groups are mentored. [VII.A., E]

Attach documentation to demonstrate the means and frequency of staff evaluation. [VII.A, D]

Attach documentation indicating program rules and standards of conduct for group facilitation. [VII.E]

Section VIII: Additional Information

Attach any additional documents or narratives you believe would assist the Batterers Intervention Program Standards Oversight Committee in review of your program. Include a brief explanation of their significance.

APPENDIX F.

BATTERERS INTERVENTION PROGRAM STANDARDS OVERSIGHT COMMITTEE
COMPLAINT LOG

Date	Complainant	Program	Nature of Complaint and Standard Involved	Recommendation	Report to BIPSOC